

MCELROY ET AL

Serial No. 09/934746

Filed: AUGUST 22, 2001

REMARKS

Editorial corrections have been effected in the specification. Reconsideration of this application in light of the foregoing amendments and following remarks is respectfully requested.

The rejection of claims 1-18, under the provisions of 35 U.S.C. § 103, as being unpatentable over the combination of the patents to Kolbenson et al 5,594,727 and Gallagher et al 6,704,304, as set forth on pages 2-5 of the outstanding Office Action, is respectfully traversed.

Before discussing the shortcomings of the prior art relied upon in the outstanding Office Action, the present invention will be briefly reviewed in order that differences between the cited prior art and the present invention, particularly as claimed in claims 1-18, may be more readily appreciated.

As is described in the initial portion of the present specification, beneath the heading BACKGROUND OF THE INVENTION, the purchaser of an integrated access device is typically technically unsophisticated and, even when supplied with parameter enabling information with the integrated access device, can be expected to call the service provider or equipment provider with requests for technical support.

The present invention is directed to a solution to this problem by employing a methodology that enables an integrated access device to be automatically configured for operation with the network.

To this end, the invention conducts an automated communication property analysis of the telecommunication

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network to identify a communication interface providing access to the telecommunications network, and then automatically configures the communication parameters of the integrated access device with the identified communication interface.

Neither of the prior art patents relied upon in the outstanding Office Action addresses the problem to which the invention is directed nor its solution.

The patent to Kolbenson et al describes a multi-module multiple access time division multiplexed communication system in which a multiplexing switch can be dynamically reconfigured as desired. As the time slots become available, the switch automatically allocates them to a specified port.

The problem of automatically configuring an integrated access device is not discussed. Indeed, as described in column 12, lines 9-42, Kolbenson et al suffers from the problems of the prior art in that the customer is required to participate in setting up operational parameters between the network and the integrated access device. This is where the problem to which the present invention is directed begins.

The patent to Gallagher et al has nothing to do with either Kolbenson et al or the invention. Gallagher et al is concerned with traffic density over the network and what to do if the network becomes heavily loaded.

To this end, Gallagher et al monitor the traffic density and if an excessive delay is encountered, the COMDAC or CPE causes the server to switch the call from a packet switch network to the public switched telephone network. Attention may be directed, for example, to the discussion in column 4, lines 23-49.

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Since neither of the patents to Kolbenson et al or Gallagher et al addresses the problem to which the present invention is directed, much less the solution to that problem offered by the present invention, they certainly do not suggest a combination of features as defined in applicants' claims which are specifically directed to the automated configuring of an integrated access device to allow the device to conduct packetized voice and data communications via a digital telecommunication network as claimed in claims 1-18.

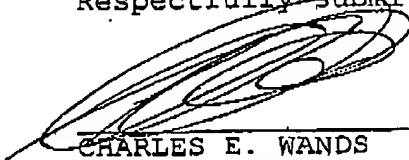
It is respectfully requested, therefore, that the Office Action of February 15, 2005, be reconsidered and, in the absence of prior art which teaches or suggests applicants' invention, that claims 1-18 be found to be in condition for allowance.

Favorable reconsideration of this application is, accordingly, earnestly solicited.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 01-0484 and please credit any excess fees to such deposit account.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-872-9306 to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, this 16 day of May 2005.

Love